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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **MAC.APP. 177/2010**

RADHA VISHNOI & ORS Appellant
Through : Mr. Ajay Kumar Porwal, Advocate

versus

ORIENTAL INSURANCE CO LTD Respondent
Through: Mr. Pankaj Seth, Advocate

CORAM:
JUSTICE SHIV NARAYAN DHINGRA

ORDER
26.04.2010

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This appeal has been preferred for enhancement of compensation amount on the ground that the Tribunal has wrongly deducted 50% of the income for personal expense of the deceased.

It is an undisputed fact that the deceased was unmarried at the time of accident and in terms of various pronouncements made by the Apex Court and this Court, half of the income being earned by the deceased was to be considered being spent on himself and only 50% of the income to be contributed towards parents. It is also an undisputed fact that the deceased had no dependent. His father was earning and his mother was dependent on his father and not on him.

Under these circumstances, I consider that the Tribunal rightly took into account that the deceased would have been spending 50% of his income on himself and only 50% towards his family i.e. parents.

I find no ground to Interfere with the order passed by learned Tribunal.
The appeal is hereby dismissed.

SHIV NARAYAN DHINGRA, J

APRIL 26, 2010
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